

Remarks

Receipt is acknowledged of the Office Action mailed December 11, 2002. A Petition for Extension of Time and the requisite fees are attached. With the entry of this amendment, claims 1-16 will be active in this case.

I. Objections to Claims

The Examiner maintains the obviousness-type double patenting rejection of claims 44-47, 52 and 53 over claims 1-6 of U.S. Patent No. 6,224,873 and claims 48-51 over claims 1-16 of U.S. Patent No. 6,340,482. In response, applicants herewith cancel claims 44-53, without prejudice or disclaimer, and reserve the right to pursue such claims in a divisional application.

II. Rejections under 35 USC § 112

Claims 1-16 are rejected under 35 USC §112, first paragraph, as containing subject matter which was not described in the specification. Applicants respectfully submit that the pharmaceutically acceptable carrier is found in the specification on page 21, lines 6-9; page 28, lines 1-20; and page 29, lines 1-7. In view of this support, applicants respectfully request that this rejection be withdrawn.

CONCLUSION

In view of the above amendment and remarks, applicants respectfully request that all objections and rejections be withdrawn and that a notice of allowance be forthcoming. The Examiner is invited to contact the undersigned attorney for applicants at 202-912-2142 for any reason related to the advancement of this case.

Respectfully submitted,

Date: April 21, 2003

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